

§ 1004.12

to be exempt from the mandatory public disclosure requirements of the Freedom of Information Act, to be information referred to in 18 U.S.C. 1905, or to be otherwise exempt by law from mandatory public disclosure. The accompanying explanation shall specify the justification for nondisclosure of any information under consideration. If the submitter states that the information comes within the exemption in 5 U.S.C. 552(b)(4) for trade secrets and commercial or financial information, the submitter shall include a statement specifying why such information is privileged or confidential and, where appropriate, shall address the criteria in paragraph (f) of this section. In all cases, the submitter shall address the question of whether or not discretionary disclosure would be in the public interest.

§ 1004.12 Computation of time.

Except as otherwise noted, in computing any period of time prescribed or allowed by this part, the day of the event from which the designated period of time begins to run is not to be included; the last day of the period so computed is to be included; and Saturdays, Sundays, and legal holidays are excepted.

PART 1005—INTERGOVERNMENTAL REVIEW OF DEPARTMENT OF ENERGY PROGRAMS AND ACTIVITIES

Sec.

- 1005.1 What is the purpose of these regulations?
- 1005.2 What definitions apply to these regulations?
- 1005.3 What programs and activities of the Department are subject to these regulations?
- 1005.4 What are the Secretary's general responsibilities under the Order?
- 1005.5 What is the Secretary's obligation with respect to Federal interagency coordination?
- 1005.6 What procedures apply to the selection of programs and activities under these regulations?
- 1005.7 How does the Secretary communicate with state and local officials concerning the Department's programs and activities?
- 1005.8 How does the Secretary provide states an opportunity to comment on

10 CFR Ch. X (1–1–09 Edition)

proposed Federal financial assistance and direct Federal development?

- 1005.9 How does the Secretary receive and respond to comments?
- 1005.10 How does the Secretary make efforts to accommodate intergovernmental concerns?
- 1005.11 What are the Secretary's obligations in interstate situations?
- 1005.12 How may a state simplify, consolidate, or substitute federally required state plans?
- 1005.13 May the Secretary waive any provision of these regulations?

AUTHORITY: E. O. 12372, July 14, 1982, 47 FR 30959, as amended April 8, 1983, 48 FR 15887; sec. 401 of the Intergovernmental Cooperation Act of 1968, as amended (31 U.S.C. 6506).

SOURCE: 48 FR 29182, June 24, 1983, unless otherwise noted.

§ 1005.1 What is the purpose of these regulations?

(a) The regulations in this part implement Executive Order 12372, "Intergovernmental Review of Federal Programs," issued July 14, 1982 and amended on April 8, 1983. These regulations also implement applicable provisions of section 401 of the Intergovernmental Cooperation Act of 1968.

(b) These regulations are intended to foster an intergovernmental partnership and a strengthened Federalism by relying on state processes and on state, areawide, regional and local coordination for review of proposed federal financial assistance and direct federal development.

(c) These regulations are intended to aid the internal management of the Department, and are not intended to create any right or benefit enforceable at law by a party against the Department or its officers.

§ 1005.2 What definitions apply to these regulations?

Department means the U.S. Department of Energy.

Order means Executive Order 12372, issued July 14, 1982, and amended April 8, 1983 and titled "Intergovernmental Review of Federal Programs."

Secretary means the Secretary of the U.S. Department of Energy or an official or employee of the Department acting for the Secretary under a delegation of authority.